



City of Rockville

MEMORANDUM

November 1, 2005

TO: Twinbrook Neighborhood Plan Advisory Group

FROM: Ann Wallas, Planner II, CPDS

SUBJECT: **TNPAG – Neighborhood Conservation Districts (NCD)**

Background:

A Conservation District can be used to protect the elements of a neighborhood that create the distinctive character of the area. This process is separate and apart from consideration for eligibility for Historic District status, and can be used both in neighborhoods that would be eligible for historic designation, as well as those that would not be eligible.

The predominant housing style in the Twinbrook neighborhoods is the single family detached house. With approximately twenty subdivisions built over time, the diversity of housing styles throughout the neighborhood has led to a distinct sense of place. This sense of place can be maintained through the preservation of dominant features that define and create the neighborhood character.

Current Conditions:

The neighborhood has been developed predominately for single-family residential use under the current R-60 and R-90 zones¹. In addition there are Special Development Procedures, which allow for alternate development patterns different from the underlying zone. The Residential Townhouse (RTH) overlay was developed in the 1980s and permits single-family attached housing, such as Cambridge Walk I and II, Ashleigh Woods and Rockcrest Courts. The Planned Residential Unit (PRU) predates the RTH overlay, having been developed in the 1960s, and allows for a mix of detached and attached, and multi-family, units. Twinbrook Forest condominium was developed using

¹ R-90 serves as a base zone for uses other than single family homes in the Twinbrook area – for example for Rockville High School. There are no residential properties constructed to R-90 standards in either Planning Area 7 or 8.

the PRU procedure. The residential zoning also permits some institutional uses by right, such as the churches throughout the neighborhood and the County facilities at the former Broome and Lone Oak Schools.

There is a concern that inappropriate additions, as well as some infill development, threatens to alter the look and feel of the neighborhood. This has already occurred, to some extent, on several properties throughout the area and can be seen in a sample of home improvement projects that have altered the exterior of homes.

Another real threat to the neighborhood is the possibility of Twinbrook becoming the target of teardowns that would attempt to replace existing housing stock with structures that approach the maximum building envelope specified by the Zoning Ordinance. When a resident makes alterations to an existing structure, the impacts on the local neighborhood are typically moderate. When the speculative developers descend on a neighborhood, the resulting new construction is potentially much more significant. The impacts of such redevelopment on the neighborhood include the negative effect of shifting the existing socio-economic stratum of the community, the physical and visual impacts of large new homes and reducing the nature of affordable housing opportunities. Gentrification potential in Twinbrook, when mass changes in ownership alter the neighborhood character and affordability, could also be a negative effect of redevelopment initiatives currently underway in the City. Because of the neighborhood's close proximity to the Town Center, and both the Twinbrook and the Rockville Metro stations, the Advisory Group might wish to express support for creating a mechanism through which the neighborhood can address the external challenges affecting its future.

Critical Issues:

It is apparent that further discussion is needed on how a Neighborhood Conservation District would function, how and where the boundaries would be established, what the criteria would be for developing district guidelines, and how such districts would be implemented and reviewed. The following issues of incompatible development potential under existing zoning are currently being discussed as part of the City's Zoning Ordinance review:

- The teardown of homes allowing the construction of structures incompatible to surrounding buildings.
- Ability to construct pipe stem/flag lots from the resubdivision of large lots in order to do infill development.

The TNPAG should discuss whether or not the proposed City-wide zoning changes would meet the needs of the community. This need not be an "all or nothing" decision – the Plan could support the City-wide zoning changes and also recommend that individual neighborhoods might like to explore the option of adopting additional conservation measures.

Implementation and oversight of Neighborhood Conservation Districts:

Currently, the city has a system in place for historic designation. Through the Historic District Commission, the City guides future development in ways that are sensitive to the historic qualities of a building or neighborhood. How should review of development not deemed historically significant, but essential to the conservation district be accomplished? There are various scenarios, including review by the Historic District Commission, a neighborhood citizens panel, City staff or some other combination. The Lincoln Park neighborhood is currently developing its own Conservation District, and we can learn from their experience.

1. How stringent should the regulations be?

Although it can be documented that historic districts can have positive effects on property values, Neighborhood Conservation Districts may have varying implications for property values. What is the appropriate balance between limiting the scale and type of new construction versus the ability of homeowners to expand their dwellings or construct new residences?

2. Implementation of a Neighborhood Conservation District

The Neighborhood Plan could recommend the establishment of Conservation Districts, which may or may not be codified through zoning regulation, or even implemented through referendum of the local residents. It is important to keep in mind that NCDs are community driven and require the broad support of those who live within the district's boundaries. The avenue chosen could factor into perceptions of whether this component of the Plan is driven by the community or by the City.

3. Options for the extent of NCD boundaries

As previously mentioned, the Twinbrook area is composed of more than twenty subdivisions and individual subdivision boundaries may be an appropriate starting point in the development of a conservation district.

4. Establishment of architectural guidelines and development standards to be adopted and used within the district

Standards are typically drafted as part of the Zoning Ordinance, with the neighborhood plan giving guidance to what elements should be evaluated and focused on, as well as further defining the goals and expectations of the survey work being done. Staff has identified some of the neighborhood elements that would likely need adopted standards. These include sidewalks, trees in the public right-of-way and private yards, building height and bulk standards in relation to neighboring properties, limits on impervious cover for parking pad and building footprints, preserving the overall streetscape including the elements in the right-of-way as well as the houses

that define the street edge, architectural compatibility concerns such as door and window orientation, etc., maintaining lot patterns, and the housing styles.

5. *Review of alterations and new development to be done at either the district-wide (macro) level or refined to a more immediate vicinity of the property (micro) level*

A macro-level review may impose constraints on city residents who live in Twinbrook because of the many differences found throughout the neighborhood. On the other hand, micro level review could allow similar incompatible development in some areas due in part to inappropriate housing patterns already present that would be included in the review. NCDs, in attempting to control building mass, must also satisfy a happy medium between small-scale older homes and new construction that is typically larger.

Suggested Recommendations

1. The Neighborhood Plan could recommend that Neighborhood Conservation Districts be created to carry out the goals of conserving neighborhood elements that contribute to neighborhood character and identity.
2. The city should partner with residents and the Civic Associations in an expanded survey of Twinbrook homes, identifying lot patterns and the residential features and scale that contribute to the identity of each neighborhood. Guidelines could be prepared for the entire neighborhood, as well as for separate districts, based on the outcome of this process.
3. The NCDs should be administered in a way that allows alterations and new construction to proceed in a way that balances the need to conserve neighborhood character with the personal expectations of private property owners.
4. The NCD should explore ways to enhance and use environmental policy to structurally support guidelines for development (impervious surface reduction, increase in tree canopy etc.).

TWINBROOK NEIGHBORHOOD PLAN: TOOLS FOR NEIGHBORHOOD STABILIZATION

As part of the Twinbrook Neighborhood Plan, the Historic Preservation group, part of the City's Community Planning and Development Services Department, has researched the history of the area and is compiling data on existing housing types. Twinbrook is an area worth remembering for many reasons, one of which is its status as one of the first large-scale, suburban post-World War II housing developments in the D.C. metropolitan area.

Change can be radical with total redevelopment like the Town Center project, or creeping and incremental. But change is constant and accumulative and nothing ever stays exactly the same for long without special measures. If a neighborhood character or features are desirable and the goal is to preserve it or them, then tools should be implemented to ensure the outcome.

The City has several tools available for retaining the common design features that residents feel are important to defining the character of a neighborhood. Staff is currently reviewing additional tools and one or more than one of these in combination, or none of them, may be applicable to Twinbrook, or to specific parts of Twinbrook. Every neighborhood must be examined on its own and any selected approaches must be individually tailored to best achieve the community's objectives. ***However, it is useful for the community to know what tools are available and what the advantages and disadvantages of each may be.***

Citizens often think that local historic designation is the only way of preserving the overall character of a neighborhood. It does present the highest level of protection for historic areas that have retained most of their architecture and original materials, but requires development of guidelines appropriate to each character area and a high level of review for exterior changes. Not all areas qualify for local or national designation, nor is it appropriate for all areas.

In the Twinbrook area, historic designation is probably not the most effective or the most appropriate method. In the Twinbrook neighborhoods, many houses of the same general design and material were built by a developer for sale to the general public. Speedy construction of large numbers of housing units at a reasonable cost was the objective. While they are readily identifiable as a type of Post WWII housing, individual Twinbrook houses do not have the kind of architectural features and design that make them eligible as historic sites or districts and most have been altered. Even in historic Levittown, only one of the original and most intact houses has been preserved as a historic site to show where everyone began.

Historic designation is only one way a neighborhood can preserve the elements that it finds desirable and discourage undesirable changes. Neighborhood Conservation Districts offer another approach to provide stability and define future direction for a neighborhood.

Neighborhood Conservation Districts: These Districts maintain and conserve the character-defining streetscapes of older neighborhoods while providing the flexibility to improve property and expand homes without approval from another review body. They offer an alternative in many older areas that have experienced some deterioration, demolition, or incompatible alterations.

Neighborhood Conservation Districts create overall development standards for individual areas that are closer to the height, design, and lot coverage of the existing housing stock. These development standards are adopted in place of the existing zoning development standards, such as those for an R-60 lot. Options are built in for additions and other improvements that make older houses livable. The standards are developed using data on the existing structures and actual site design. For example, if the majority of the original houses are less than 25 feet tall and the community wants to preserve that characteristic, then the conservation district standard maximum actual height would be 25 feet. If projecting front garages, known as “snout garages” are not present and not wanted, they would not be allowed under the conservation district. This type of approach is currently being explored in Lincoln Park, possibly in combination with historic designation of specific properties to protect the historic character of that community.

Community support is essential. Conservation districts do not succeed unless the community actively supports the program. Some incentives, such as workshops, revolving loan funds, grants and free design consulting may help. For many neighborhoods, stability and clear future direction are incentive enough.

City Anti-Mansionization Measures: The City is exploring changes to the zoning standards in general and to residential development standards for the R-60, R-75 and R-90 zoning categories in particular as “Mansionization” becomes more commonplace in Rockville. Mansionization generally means demolishing an older house (generally a house less than 1,000 square feet and less than 25 feet tall) to build a house to the maximum legal building envelope. While a 40-foot tall house of 6,000 square feet is perfectly appropriate in King Farm, it may overpower adjacent one- or two- story neighbors in older existing neighborhoods.

Legally, the City has no power to prevent this at the moment as long as all the development standards of minimum setback, maximum height, and maximum lot coverage are followed. Nor does the City want to eliminate upgrading of private property. However, the current standards were not designed for older neighborhoods that were built to a different scale. It has been calculated that if development were proposed that utilized the maximum allowed on a conforming R-60, 6,000 square foot lot, the resulting structure could have 2,100 square feet per level and be close to 7,000 square feet from attic to basement and be 40 feet high. Only two off-street parking spaces are required per detached dwelling in Rockville. That would be a dramatic change in the neighborhood and it could cumulatively have great effects on storm water drainage, public utilities, and parking. If the City implements special development standards to reduce the unwanted impacts of mansionization, Twinbrook areas could ask to be included.

Historic Districts

There may be houses in Twinbrook that have not been altered on the exterior (i.e. they retain their original massing and materials such as siding, windows, doors, roof) that really show the original as-built appearance of the houses. Homeowners with houses that have been unaltered, or minimally altered, on the exterior may be eligible for historic designation as an example of post-WWII production housing. In addition, there are still structures in the Twinbrook Neighborhood Plan Area that pre-date the Twinbrook development. The City’s preservation

staff will be locating and surveying these buildings. Some of these may be eligible for historic designation as well.

Rockville Historic Districts are areas in which buildings and their settings that are significant historically or architecturally are protected against changes to their character and materials. Only the exterior is protected or regulated and additions and other changes are encouraged to be sited on the rear to retain the streetscape. Historic district designation is the most effective preservation tool to protect neighborhood character, but not all neighborhoods meet the qualifications. The City's Historic District Commission (HDC) has the authority to review changes to the exterior appearance of a structure or site to ensure that changes are compatible with the structure and streetscape. County, state and federal tax incentives may reimburse up to 50% of the costs of renovations and maintenance

Eligibility Criteria for Rockville Local Historic District Designation

The City of Rockville has adopted historic designation criteria based on the criteria for placement on the National Register of Historic Places: historical, cultural, architectural, and design significance. Archeological sites are also eligible. Structures representing architectural styles, periods, and methods of construction that have particular significance to Rockville are given special attention. Integrity of workmanship and materials are considered. There are no date restrictions, although federal regulations require review of structures that are 50 years of age or older when federal or state funds are utilized.

If the site is found to meet one or more of the adopted criteria, the level of site significance (local, state or national) is determined and the condition of the structure and site is evaluated. Single site historic districts, or landmark sites, are held to a higher standard than contributing sites in a historic district. After designation, any exterior changes to the property must be approved by the Historic District Commission through design review.

National Register of Historic Places Listing is honorary with no design review required unless federal funds or permits are involved. The National Register of Historic Places recognizes districts, buildings, structures, objects, and sites for their significance in American history, archeology, architecture, engineering, or culture, and identifies them as worthy of preservation. Under federal law, owners of private property listed in the National Register are free to maintain, manage, or dispose of their property as they choose provided that there is no Federal involvement. Established by the National Historic Preservation Act of 1966, the National Register is a program of the U. S. Department of the Interior, National Park Service, and is administered at the State level by the Maryland Historical Trust. Owners of properties listed in the National Register may be eligible for financial assistance for historic preservation projects, including Federal investment tax credits for rehabilitation.

Easement Donations are executed by the owner of a historically designated property and are used to gain financial advantages from a property while preserving the environmental setting. A preservation easement is a voluntary legal agreement that protects a significant historic, archaeological, or cultural resource and provides assurance that the property's intrinsic character

and values will be preserved by subsequent owners. An entire historic structure or just the façade or interior may qualify. Under the terms of an easement, a property owner grants a portion of, or interest in, the property rights to an organization whose mission includes historic preservation. Once recorded, an easement becomes part of the property's chain of title and usually "runs with the land" in perpetuity.

If certain criteria are met, the owner also can receive a Federal income tax deduction equivalent to the value of the property interest given away to a charitable or governmental organization and the donor may also benefit from reduced property assessments and reduced estate taxes. IRS criteria include documentation that the building is a "certified historic structure," and listing in the National Register is the fastest way to meet that requirement.
